

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NATIONAL ASSOCIATION FOR GUN
RIGHTS, and SUSAN KAREN GOLDMAN,

Plaintiffs,

v.

CITY OF HIGHLAND PARK, ILLINOIS,

Defendant.

No. 1:22-cv-04774

Honorable Harry D. Leinenweber

Honorable Jeffrey T. Gilbert

**DEFENDANT CITY OF HIGHLAND PARK’S AGREED MOTION REGARDING
EXTENSION OF PAGE LIMITS**

Defendant City of Highland Park, Illinois (“Highland Park” or “the City”) respectfully submits this Agreed Motion to request an extension of the page limit to allow 50 pages for Highland Park’s brief in opposition to Plaintiffs’ Motion for Preliminary Injunction (Dkt. 7) (the “PI Motion”), filed concurrently with this Agreed Motion. In support, Highland Park states as follows:

1. On January 18 and 19, 2023, Plaintiffs and Highland Park conferred about the expected length of Highland Park’s brief in opposition to the PI Motion, and Plaintiffs agreed to Highland Park’s request to file a brief up to 50 pages in length.

2. Given the nature and complexity of the legal and factual issues in this case, Highland Park respectfully requests leave to file a brief of 50 pages total.

3. There is good cause to grant Highland Park’s request to extend the page limit for its opposition brief. Plaintiffs seek a preliminary injunction to have Highland Park’s ten-year-old law banning assault weapons struck down as unconstitutional, and filed a 25-page brief in support of their PI Motion along with three supporting declarations. Dkt. 7. Highland Park and its citizens have an overwhelmingly strong interest in the outcome of this case, especially in light

of the mass shooting with an assault weapon that occurred at its most recent Independence Day parade. The Supreme Court's decision in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S. Ct. 2111 (2022), creates a two-step framework that requires a government defendant to conduct a historical analysis in order to defend its law. As a result, Highland Park is submitting 7 declarations from historians and other experts, in addition to 7 fact witness declarations and other evidence, in support of its position. Moreover, Plaintiffs have taken the position that Highland Park bears the burden on certain issues raised by the PI Motion. *See, e.g.*, Dkt. 7 at 5. Highland Park respectfully submits that it therefore requires the requested number of pages in order to properly address the issues raised by the PI Motion in a way that will be most helpful to the Court.

4. For the Court's information, Defendants in similar post-*Bruen* cases that are pending in this Court and other federal courts around the country have also submitted briefs of this length or longer, accompanied by extensive expert declarations in order to conduct the detailed historical analysis that *Bruen* contemplates. *See, e.g., Viramontes v. County of Cook*, No. 21-cv-4595, Dkts. 60 & 63 (N.D. Ill. Jan. 18, 2023) (granting defendants leave to file post-*Bruen* summary judgement brief totaling 60–75 pages); *Ocean State Tactical, LLC v. Neronha*, No. 22-cv-246, Dkt. 19 (D.R.I. Oct. 14, 2022) (61 pages for opposition to motion for temporary restraining order and preliminary injunction); *Miller v. Bonta*, No. 19-cv-1537, Dkt. 137 (S.D. Cal. Oct. 13, 2022) (78 pages for defendants' supplemental brief regarding application of *Bruen*); *Duncan v. Bonta*, No. 17-cv-1017, Dkt. 118 (S.D. Cal. Nov. 10, 2022) (63 pages for defendants' supplemental brief regarding application of *Bruen*).

WHEREFORE, Defendant the City of Highland Park respectfully requests that the Court grant this Agreed Motion and enter an order allowing Defendant 50 pages for its brief in opposition to Plaintiffs' Motion for Preliminary Injunction (Dkt. 7).

Dated: January 19, 2023

Respectfully submitted,

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